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President Orders Lie Detector Tests

Spurred by Spy Cases, His Directive
Covers Federal Workers, Contractors

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WASHINGTON—Spurred by a spate of spy scandals, President Reagan has signed a secret national security directive that will require lie detector tests for all government employees and contractors who already have or want to obtain high-level security clearances, The Times has learned.

Some officials estimated that more than 10,000 people could fall under the order. About 4,000 will be State Department officers, according to one senior official, who added that an equal number of Pentagon officials and thousands more at various government agencies, defense contractor plants and consulting firms may be affected.

The presidential order, which may require months to put into effect, calls for creation of an inter-agency task force to handle the delicate task of drawing up guidelines for implementation, although the precise mechanism for working out the specifics could be modified. "There may be some question about whether this decision is locked in concrete," one official said, "but not much question."

Suits Predicted

Lawsuits opposing the directive are likely, two officials predicted, because the use of polygraph examinations has been widely questioned on grounds of reliability and invasion of privacy.

Moreover, a larger constitutional question also could be posed if the directive's implementing rules require political appointees to submit to lie detector tests. Elected officials, including the President and members of Congress, are automatically exempt from security clearances, but appointees such as Cabinet and sub-Cabinet officials have in the past fallen in a gray area.

One Administration official said that while the new directive "does extend the use of the polygraph," it will permit "only non-life style questions—relating to counterintelligence, to catching spies, not to sex or drugs or those issues which have been attacked as intrusive and evoke emotional responses."

And, he added, "no action (i.e., clearances refused or withdrawn) will be taken solely as a result of the polygraph."

Secretary of State George P. Shultz reportedly opposed the new directive before Reagan signed it Nov. 1, and one official suggested that Shultz himself may refuse to take a polygraph exam.

'Example for His Troops'

But another observed that Shultz "has all the clearances possible, and he'll have to do it (take the test) if he wants to set an example for his troops to follow." A spokesman for Shultz, who was traveling in Europe, declined comment.

Rather than detecting lies per se, polygraph tests note physiological reactions that indicate anxiety. The congressional Office of Technology Assessment has reported that polygraphs have greater validity in criminal investigations than in general or random screening situations, such as those for job applicants.

Congress is considering legislation to outlaw the use of polygraphs in private employment, where an estimated 2 million Americans each year take such tests as a condition for employment and promotion. About 50,000 do not pass.

Reagan's new directive also orders that:

—Foreign employees at U.S. embassies and consulates in the Soviet Union and other East Bloc states be eliminated. Currently, a significant number of manual and clerical workers are employed at the U.S. missions, and efforts already were underway to reduce this number, despite the great cost of finding Americans who will take such jobs. When fully implemented, the new directive would eliminate all such workers.

—Citizens of four Eastern European nations—Bulgaria, Czechoslovakia, East Germany and Poland—make their travel arrangements in the United States through the State Department, as has been required of Soviet nationals. The purpose is to curtail spying by closer FBI monitoring of the movement of these nationals.

—The State Department expand its Office of Foreign Missions, through which travel arrangements for foreign nationals are made. The office, headed by former FBI counterintelligence expert James E. Nolan Jr., already controls such matters as real estate leasing and licensing of cars of foreign diplomats when such controls are imposed on U.S. envoys in their countries.

Curtailing the travel freedom of nationals of the four Eastern European nations, whether for diplomats attached to embassies or the United Nations or for visitors on private or business trips, was discussed last week at congressional hearings.

Hungary and Romania, although part of the Communist Bloc, were not similarly constrained. But other curbs were placed on diplomats from Afghanistan, Cuba, Cambodia, Iran, Libya, Mongolia and North Korea, and officials of the Palestine Liberation Organization, all of whom work primarily at the United Nations.

The new polygraph requirements were not disclosed previously, one State Department official said, because "no implementation decisions" have been taken to put the presidential order into effect.

He said that several months probably will be required before the State Department and other affected agencies can hire and train enough polygraph operators to conduct the tests, which sometimes require a full day for each person.

Casey Was Tested

In 1981, CIA Director William J. Casey refused on principle to take a lie detector test when he assumed the Cabinet-level job, but he later voluntarily took the exam to show that he would submit to the same requirements as the rest of the intelligence community.

The CIA has used polygraphs for about three decades, and the National Security Agency, which spe-

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cializes in electronic eavesdropping, has used them for almost as long, officials said.

Other agencies have used them primarily in investigations, although the Pentagon was authorized by Congress to give polygraph tests to 3,500 employees this year in an effort to curtail espionage. Congress has raised the ceiling to 7,000 persons for next year, a Defense Department spokesman said.